DOCUMENT RESUME

ED 385 045 EC 304 078

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TITLE Effective Management Practices for Severely Emotionally Disturbed Youth: A Collaborative Study on Democratic Practices in Inclusive Classrooms. Draft.
PUB DATE Apr 95
NOTE 17p.
AVAILABLE FROM Paper presented at the Annual Meeting of the American Educational Research Association (San Francisco, CA, April 18-22, 1995).
PUB TYPE Reports - Research/Technical (143) -- Speeches/Conference Papers (150)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS Administrator Attitudes; Behavior Change; Classroom Techniques; Conflict Resolution; *Constitutional Law; *Discipline Policy; Elementary Secondary Education; *Emotional Disturbances; *Inclusive Schools; Justice; Mainstreaming; Models; Self Management; *Social Responsibility; Student Behavior; *Student Responsibility; Student Rights; Teacher Attitudes

ABSTRACT

This study assessed whether a classroom foundation based upon constitutional rights and responsibilities would help elementary and secondary school students with emotional disturbances who are being mainstreamed. The framework of Judicious Discipline, which balances individual rights against social responsibility, was applied in public school inclusive classrooms. One rationale for use of this framework was that the model would provide a consistent base for decision making. This investigation involved interviews with two special educators, one classroom teacher, and one school administrator representing four schools. Based on the interview responses, experiences in using Judicious Discipline with students with emotional disturbances are summarized. Some commonalities that emerged included the use of constitutional language to defuse potential power struggles and increased parental involvement in the classroom community. One teacher's goal was to teach students a process for avoiding problems by encouraging them to stop, consider their actions, and talk about responsibilities of the individual student and the whole class. (Contains 10 references.) (SW)

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ED 385 045

# Effective Management Practices for Severely Emotionally Disturbed Youth: A Collaborative Study on Democratic Practices in Inclusive Classrooms

by
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Prepared for the American Educational Research Association Conference.
San Francisco, CA

April, 1995

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## Making Inclusive Classrooms Equitable Classrooms: Using Judicious Discipline with Students Identified as Emotionally Disturbed

### Introduction

This study is the result of a collaborative effort between the principal investigator who is on the faculty of the School of Education at Oregon State University in Corvallis, OR and the secondary investigator who is a psychologist for the Mankato school district in Mankato, MN. The purpose of the study was to examine the effects of democratic practices on maintaining safe and productive mainstream classrooms. Specifically this study was designed to determine if a classroom foundation based upon constitutional rights and responsibilities would result in helping emotionally disturbed students who are being mainstreamed into inclusive classrooms and being instructed in democratic practices designed to help them manage their own behaviors.

### Background

Building classroom communities that are safe and encouraging places to learn is a goal towards which many educators strive. In today's educational climate, however, there are forces that appear to present roadblocks against efforts to successfully apply concepts of democratic schooling. Teachers and administrators today find themselves struggling to maintain classroom climates geared toward student success in the face of mounting social and financial concerns. The controversy surrounding inclusion is the struggle educators face when they attempt to employ democratic pedagogical strategies for resolving conflicts with emotionally disturbed students while also trying to effectively teach and manage all the other students in their classrooms.

Inclusion is described as the practice of providing a full educational program for all special needs students within the mainstreamed classroom. (Saleno, 1994)

Rather than having students who are identified as being learning disabled spend part or all of their school day in a pull-out program, many schools are developing alternative delivery systems that have many special needs students spending the full day within their home classrooms. The mandate of Public Law 94-142 to educate all students in the least restrictive environment balanced against the very real concerns of how to address most effectively the broad spectrum of abilities in k through 12 classrooms is at the heart of concerns surrounding inclusion. (Shanker, 1994)

While educators may be wrestling with the particulars of how to create fully inclusive educational programs, the principles supporting the change from special education classrooms to a more mainstreamed approach seem to be very clear. " As far as a rationale, we should not have to defend inclusion - we should make others defend exclusion. There's very little evidence that some children need segregated settings in which to be educated." (O'Neil, 1995)

**Mainstreaming Students With Diagnosed Emotional Disorders**

Although most educators understand the rationale for mainstreaming students, nevertheless they express frustration over their lack of preparation for effectively working with students who present a wide variety of special classroom needs. Identifying discipline strategies that are holistic enough to address the continuum of behaviors in a "normal classroom" is difficult enough; the problems are exacerbated when students who are identified as having severe emotional disturbances are added to the inclusion mix.

When the increased emphasis on including students with emotional disabilities into mainstream classrooms is balanced against educators who feel that they are inadequately trained to meet these special needs, the result is a heightened sense of frustration being expressed among parents, students and teachers as to how

well all the members of any classroom are being served. " '...I don't have training to work with these kids. We don't know much about them or their lives;....I can't be a counselor and a teacher; there is just no time for that kind of involvement.' These are some comments made by teachers in large city high schools during discussions about emotionally disturbed students." (Diamond, 1991)

Once students are identified as emotionally disturbed, the typical management strategies educators relied upon in the past to ameliorate problems often are no longer applicable. Schools that routinely depended on suspensions and expulsions to alleviate behavior problems cannot resort to such measures when the problems exhibited by student are the result of a behavioral disorder. (Shanker, 1994)

Given the need to keep severely emotionally disturbed students in schools and the equally compelling need to effectively educate all children in any classroom, educators are seeking management strategies that will address both concerns. There is an increasing body of evidence that seems to indicate a need for the use of cognitive, as opposed to behavioral, approaches when working with students who have been diagnosed as being emotionally disturbed. In terms of the educational needs of students, it is ever more important for young people to have a sense of belonging to a learning environment that cares about their welfare. The alternative can be students who feel school is a place in which they can never experience success and that leaving school might be to their advantage. Although teachers express the fear that their ability to educate all students is being compromised by the time consuming attention that must be paid to a handful of students, it is nevertheless crucial that educators employ strategies to keep students in school given the statistical evidence that students with diagnosed emotional disturbances drop out more often than students with any other disability. (Ysseldyke)

**Building Inclusive Classrooms on a Framework of Judicious Discipline**

"One program, Judicious Discipline, has been developed to help schools apply a simple set of legal principles based on the Bill of Rights to involve students in rule formulation in schools and classrooms." (Barr and Parrett, 1994) Despite the problems that are endemic to full inclusion, there is a growing body of evidence to indicate that it is possible to create and maintain classroom environments that meet the needs of all students. The initial data gathered for this study indicates that what is needed in inclusive classrooms are management strategies which place their emphases on students assuming personal responsibility for working within a caring classroom community. "All too often the most disturbed of our pupils have few productive or caring relationships to draw upon. The presence of an adult who is perceived as interested in them is potentially valuable in itself." (Diamond, 1991)

Judicious Discipline (Gathercoal, 1991) is a comprehensive approach to democratic classroom management designed to provide educators with a foundation of citizenship rights and responsibilities upon which to build a process for equitable decision making. The key to this model lies in teaching students the balance between individual rights, as guaranteed by the United States Constitution, and the compelling state interests that serve our society's need to be safe, healthy and undisrupted. Judicious Discipline provides a standard for making management decisions that reflect our democratic society. The same structure of rights balanced against social responsibility that we all live under as adults is applied to the public school environment with this model.

"The learning disabled need predictability, consistency, the security of limits and clearly stated expectations to function at their best." (Dolgins, Myers, Flynn, and Moore, 1984) Participants in this study stated the belief that the mutual need for clear limits and expectations can be met by employing the constitutional framework

of Judicious Discipline. In addition, all students in Judicious Discipline classrooms receive deliberate instruction about the expectations our society places upon every adult. If students feel there is a reasonable quality to the expectations that are in place in a classroom, as opposed to rules based on whim and the comfort of teachers, they tend to respond more positively to the sense of stability such an environment inspires.

Judicious Discipline places a strong emphasis on the educator as role model; not only as a teacher or administrator modeling the workings of a democratic society but in addition as someone who sets a standard for establishing professional, ethical relationship with students. This model for democratic management not only covers rules and decision-making but also discusses strategies for ensuring the equitable achievement of all students, no matter what their special needs might be.

**Describing the Study**

Recently, action research projects being conducted in a few Minnesota school districts seem to indicate that management techniques based on Judicious Discipline and designed to deliberately emphasize human rights and social responsibilities may have a calming influence across a wide spectrum of behavioral needs and may result in positive management outcomes for students at all age level.

Approximately seven Minnesota schools, located in the Mankato and Le Seur School Districts, are using Judicious Discipline as a framework for creating inclusive classrooms that meet the needs of all students. The schools mentioned above have adopted Judicious Discipline's constitutional framework for rules and decision making because of shared beliefs that the model would provide a consistent base for decision making. For most of the Minnesota schools that adopted Judicious Discipline, the greatest impetus for doing so came from counselors or special education teachers who decided to use Judicious Discipline to help them work with

students identified as emotionally disturbed. Having observed positive results as measured through reductions of behavioral incidents, the counselors and/or special education teachers employed in the selected site schools independently became the force behind their schools' efforts to adopt Judicious Discipline on a building-wide basis.

The primary investigator of the study conducted a series of 4 one-hour interviews. The interviewees consisted of 2 special educators, 1 classroom teacher and 1 school administrator. These participants represent 4 separate schools, grades k through 12. Each of the schools represented are employing a Judicious Discipline's constitutional framework as building-wide policy. Three of the participants in the study have school-wide understanding of how Judicious Discipline is being implemented. In the case of the participating classroom teacher, he was able to reflect a school-wide perspective by reading parts of a document written by his building principal. The participants in the study responded to approximately five open-ended questions with follow-up questions being asked as needed.

**Findings**

Nancy Busse of Le Seur High School in Le Seur, Minnesota began using Judicious Discipline in her special education classroom during the 1993-94 school year. At the time she was working with 20 to 25 students who would report to her during their study hall times. She taught them some of the concepts of Judicious Discipline at the beginning of the year, spelling out clearly the rights and responsibilities of students as well as adult expectations and responsibilities. She stated in a recent interview that the nature of students with emotional disturbances is to test, so she viewed their testing of Judicious Discipline to be part of a normal process. She responds to their testing by consistently using language that focuses the students on being responsible learners. When they say "You can't make me do

this." her response is "That's right." But she will go on to say that she can help them with strategies for assuming their own responsibility for completing the task.

Similarly, the special education teachers participating in this study stated that the language of Judicious Discipline helped them to avoid power struggles, also. Karen Letcher has a caseload of 3 sixth-grade students at this time, all of whom are male. Her caseload population shifts depending on the school performance of students who are identified as having emotional disturbances. The numbers vary as do the demographics. When speaking about her students Karen said "It is beginning to dawn on them that their lack of [taking] responsibility doesn't get them anywhere. ..Judicious Discipline defuses [possible power struggles] because it removes the emotion." Karen went on to say she no longer "cops," which is her term for acting like a police officer. Rather, Karen feels she has become a questioner with statements like "Let me hear what you think is going on." Or having them assess their behaviors by asking them "Where does that fall on the scales [of rights and responsibilities?] Karen stated that she gets students "talking about people's rights and responsibilities." When she uses that strategy she finds the emotional aspects of the situation "have drained away. I can talk about an incident dispassionately."

For instance, when she is working to help students understand why verbal abuse is inappropriate for the classroom, she will tell students their language "infringes on the rights [of everyone] to feel healthy about themselves." She also focuses behavioral corrections by using the terms "time, place and manner." These are "constants" in her classroom, constant reference points to help students make decisions about how appropriate or inappropriate their behaviors might be given the time, place or manner of their actions.

Karen said that she still feels herself getting angry when faced with a sudden

incident, but when she feels herself getting angry Judicious Discipline has helped her learn to collect her thoughts and "get my ducks in a row" before acting. Karen firmly believes students who are diagnosed with emotional disturbances should nevertheless be held accountable for their actions. They need a plan for change and there must be appropriate consequences worked out such as community service.

Robin Boeke is a special educator at an elementary school. This year she is working with 7 students who are third, fourth, and fifth graders. Three of her students are fully mainstreamed with paraprofessionals assigned in the classroom to provide support services for the teacher. Robin feels these students respond well to visual cues, so when they are beginning to disrupt Robin will imitate the scales of rights and responsibilities with her hands while saying to disruptive students "Your actions are tipping the scales." She feels this reminder helps students to make better choices about their behaviors.

Robin specifically addressed the topic of power struggles saying she believes that if teachers "follow through the guidelines of Judicious Discipline [they] can't get into power struggles." She went on to use an image that was started by Ms. Busse and now is used by all those interviewed for this study, the image of a rope representing a power struggle. The metaphor compares a power struggle to a rope with one end being dangled by students. Robin and the others in this study stated that with Judicious Discipline educators have the choice of not picking up the other end of the rope because they have the language to clearly state expectations and walk away. When students continue to push Robin, she will say something like "I think we need to take a break from each other." Robin feels this is a much more humane way to let the students know their behaviors will have to stop, as opposed to summarily dismissing a student from the classroom.

Robin feels that many teachers are concerned about the time it takes to work

through problems with students. She has adopted a policy of letting a problem wait if she is not making progress with a student immediately. She said she "can't think of a time ever when the problem hasn't been resolved....it does get done. " But she went on to say a teacher " can't make [students] do anything." If a student is not ready to problem solve with her, she will isolate the student until he/she is ready to work through the situation in a calm manner. Her manner toward them is "respectful and reasonable." She feels if respect and reason are not present "nothing [positive] can be accomplished." She has learned that a correction might not happen right away, however, she feels that backing off, waiting and then later resolving conflicts peacefully fits well with Judicious Discipline concepts. Using language from Judicious Discipline, Robin reported that when she can finally work with a student, her first thought is "what needs to be learned here."

Robin's goal is to teach students a process for avoiding problems. She encourages them to stop, consider their actions, and talk about responsibilities..... their's, her's, the whole class'.

Harry Birnbaum, the classroom teacher interviewed for this study, has a class this year consisting of 27 students. The students he works with represent a full range of needs including those who have been identified as gifted, two students who have been identified as Oppositionally Defiant, and one student diagnosed with Attention Deficit/Hyperactive Disorder (AD/HD). When I asked him to reflect on whether or not Judicious Discipline seemed to provide support for working with special needs students, he chose to quote from a letter written to him by his principal. The three students in his classroom identified as having emotional disorders, although new to him, are familiar to the principal who has worked with them for a period of years. From the perspective of the principal, the student diagnosed with AD/HD is having the best year in school she has ever had. In the

past, this student has "shown little remorse" and was a child counted on to go "in opposite directions." However, the principal wrote that this year the same student "has grown in her skills. She has gained understanding of her rights and the rights of others." When asked about what rights she understood, Harry elaborated, saying the student now understood "the right to a safe and free environment for both her and others." The principal commented in his written observations that when this student does have to be removed from the classroom setting, she is "easier to remediate, she spends less time out of the room and recovers faster." The principal felt that while some of the change might be attributed to a natural developmental process, he also believes the constitutional language of Judicious Discipline has helped contribute to the change.

Harry related to me an incident in which the language of Judicious Discipline helped to resolved a problem between two students, one of whom is identified as being Oppositionally Defiant. This student is bigger and tends to dominate other students on the basis of his size. Harry has been engaged in helping this student understand the balance between rights and responsibilities. One day the student with whom Harry was working damaged another student's backpack. After the incident the student came in, admitted what he had done and offered to make restitution. The student who owned the backpack admitted that he should have taken better care of the item. The two students agreed it would be fair to split the cost of purchasing a new one. Harry feels he can gage the success of Judicious Discipline's concepts on the basis of such situations.

In addition to the use of constitutional language to defuse potential power struggles, a second common thread emerging from the interviews for this study was an increased amount of parental involvement in the classroom community. While implementing Judicious Discipline in her special education setting, Nancy Busse

kept parents informed as to what Judicious Discipline is and why she decided to use it. The special education teachers involved in this study all reported working with parents on a more one-to-one basis. If a student misbehaves, parents are notified of the problem and the consequence that was applied. Robin Boeke reported she makes clear to parents what the problem was and how it was resolved. She encourages the family to sit down and discuss what occurred but also helps them to understand there is no need for further consequences. Parental contact is not used as a threat against the students but as a part of team building.

**Conclusion**

The findings reported in this initial study are limited but nevertheless indicate a possible direction for teachers and administrators who are trying to meet the needs of all students within a inclusive public school setting. There is an increasing voice for greater tolerance to be extended to those students who have severe needs and learning disabilities. The question always posed by educators is how to fulfill those needs and maintain an equitable learning environment for all students. The employment in public school classrooms of the same constitutional framework that we have used in this country for 200 years in order to fulfill the same requirement in our larger society, only makes sense.

"Judicious Discipline is not intended to be used independently, but as a scaffold for other cognitive strategies and ideas. Because it is designed as a framework, other cognitive management techniques must also be employed in order to meet the needs of all students." (Gathercoal, 1993) Robin Boeke puts it more directly. She says "Judicious Discipline is a door, it is somewhere to start. [No matter how troubled the student, he or she] can at least pick up on the image of the scale. It starts the conversation." When working to build learning communities in inclusive classrooms, establishing some common ground for beginning the

conversation is a strategy that the educators participating in this study regard as a significant step.

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Discipline "Check Up"
Total Summary
March 1995
18 Surveys Returned

Please rate the following questions using the scale below:

| Strongly Disagree | Mildly Disagree | Undecided | Mildly Agree | Strongly Agree |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |

Questions:

1. The concept of Judicious Discipline is one I believe is important for Jefferson students to learn.

| | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|
| Supp. Staff | | | 20% | | 80% |
| Teachers | 8% | | | | 92% |
| Total Staff | 5% | | 5% | | 90% |

2. I believe that **most** students are understanding their right and responsibilities in this environment.

| | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|
| Supp. Staff | 20% | 20% | | 60% | |
| Teachers | | | 8% | 38% | 53% |
| Total Staff | 5% | 5% | 5% | 44% | 41% |

3. I feel comfortable in my role as an adult working at Jefferson, reminding students of their responsibilities and discussing this with them.

| | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|
| Supp. Staff | | 20% | 20% | 40% | 20% |
| Teachers | | | | 23% | 76% |
| Total Staff | | 5% | 5% | 28% | 62% |

4. I feel comfortable in handling discipline issues with judicious consequences.

| | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|
| Supp. Staff | | 20% | 60% | 20% | |
| Teachers | | 8% | 8% | 23% | 61% |
| Total Staff | | 10% | 15% | 22% | 53% |

5. In general, I think student discipline at Jefferson is good.

| | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|
| Supp. Staff | | 40% | | 40% | 20% |
| Teachers | | | 30% | 38% | 32% |
| Total Staff | | 10% | 22% | 33% | 35% |

6. This year I have given approximately _____(number) of "Plan for Change" forms.

Support Staff Average: 6 Plan for Change forms
Teacher Average: 11 Plan for Change
Total Staff Average: 10 Plan for Change

7. I continue to have concerns about _____(number) of students--who continue to have difficulty being responsible for themselves.

Support Staff Average: 12 students
Teachers Average: 7 students
Total Staff Average: 8 students

8. If I could change one issue of Jefferson's discipline plan it would be:

All Answers:

More training, role playing, make it a continuing process for staff.

Concern that even with JD there is still a core of students whose behavior hasn't changed.

Overall, I see good, consistent discipline. One area that could be more definite is what is allowed on the playground, and what isn't? Especially when there is ice and snow. Whatever the decision is it should be communicated to all who supervise the playground both at noon and when individual classes are out.